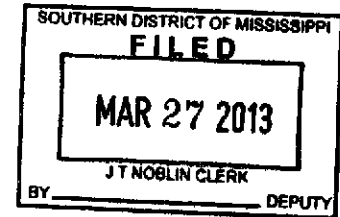


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION



SANDRA WILLIS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:13CV60KS-MTP

ALLSTATE INSURANCE COMPANY
And JOHN DOES 1 THROUGH 5

DEFENDANTS

NOTICE OF REMOVAL

COMES NOW, the Defendant, Allstate Insurance Company, by and through counsel, and files this, its Notice of Removal, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. The following is provided to the court by the Defendant in support of this Notice:

1. Plaintiff filed her Complaint in the Circuit Court of Forrest County, Mississippi on March 5, 2013.
2. Section 1332 of Title 28 provides that in all civil actions between "citizens of different states," the district courts of the United States "will have original jurisdiction . . . where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of costs."
3. The Plaintiff is resident citizen of the State of Mississippi.
4. The Defendant is a corporate resident citizen of Delaware.
5. Therefore, complete citizenship diversity exists between the Plaintiff and the Defendant.
6. The Complaint in this matter seeks recovery over \$100,000.00 and punitive damages. This amount in controversy exceeds the minimum of \$75,000.00 required for diversity jurisdiction to be applicable, making this action removable pursuant to 28 U.S.C. §§ 1332 and 1441.

7. This notice is filed within thirty (30) days of the removing party's receipt of Plaintiff's Complaint and within one year of the date the Plaintiff commenced this action by filing the original Complaint on March 5, 2013. Accordingly, this notice is timely filed under 28 U.S.C. § 1446(b).

8. Attached as Exhibit "A," are true and correct copies of all documents served upon Defendant by the Plaintiff.

9. The State Court file has been requested and will be filed in accordance with the Uniform Local Rules.

WHEREFORE, premises considered, Allstate Insurance Company hereby files this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441, 1446, removing this civil action from the docket of the Circuit Court of Forrest County, Mississippi, to the United States District Court for the Southern District of Mississippi, Hattiesburg Division.

Respectfully submitted, this the 26th day of March, 2013.

ALLSTATE INSURANCE COMPANY, Defendant

BY: GAMMILL, MONTGOMERY, MALATESTA, PLLC

BY: 
TOBY J. GAMMILL (MSB #100367)

OF COUNSEL:

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Email: toby@gammillmontgomery.com

Attorneys for Defendant Allstate Insurance Company

CERTIFICATE OF SERVICE

I, Toby J. Gammill, attorney for Defendant, Allstate Insurance Company, do hereby certify that I have this day transmitted via Electronic Correspondence, a true and correct copy of the above and foregoing *Notice of Removal* to:

Samuel S. McHard, Esq.
McHard & Associates, PLLC
15 Milbranch Road
Hattiesburg, Mississippi 39402
smchard@mchardlaw.com
Attorney for Plaintiff

This the 26th day of March, 2013.



TOBY J. GAMMILL